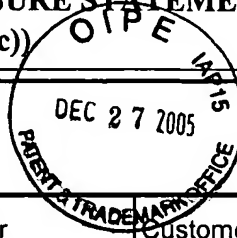


TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
114309-1017

In Re Application Of: **Gerald Horn**



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/799,299	March 12, 2004	M. Hand	24573	3761	7833

Title: **NIGHT VISION COMPOSTION**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

12/29/2005 SSITHIB1 00000029 10799299

01 FC:1806

180.00 OP

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
114309-1017

In Re Application of: **Gerald Horn**

Application No. 10/799,299	Filing Date March 12, 2004	Examiner M. Hand	Customer No. 24573	Group Art Unit 3761	Confirmation No. 7833
--------------------------------------	--------------------------------------	----------------------------	------------------------------	-------------------------------	---------------------------------

Title: **NIGHT VISION COMPOSITION**



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of **\$180.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

December 22, 2005

(Date)


Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Certificate

***This certificate may only be used if paying by deposit account.**



Signature

Thomas C. Basso (46,541)
Cust. No. 24573

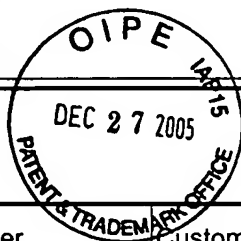
Dated: December 22, 2005

CC:

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
114309-1017

In Re Application Of: Gerald Horn



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/799,299	March 12, 2004	M. Hand	24573	3761	7833

Title: NIGHT VISION COMPOSITION

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Transmittal of IDS (duplicate); Petition for Ext. of Time (duplicate); Response to Office Action (7 pgs.); Terminal Disclaimer (2 pgs.); Request for Corrected Filing Receipt (3 pgs.); Supplemental IDS (4 pgs.); PTO Form 1449 (4 pgs.); references cited; Check in the amount of \$305.00 to cover the following filing fees: IDS (\$180); Terminal Disclaimer (\$65); and Petition for Ext. of Time (\$60); and return receipt postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Dated: December 22, 2005

Thomas C. Basso (46,541)
Cust. No. 24573

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
12-22-2005

(Date)

Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Correspondence

CC:

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
114309-1017

In Re Application Of: Gerald Horn



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/799,299	March 12, 2004	M. Hand	24573	3761	7833

Title: NIGHT VISION COMPOSITION

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Transmittal of IDS (duplicate); Petition for Ext. of Time (duplicate); Response to Office Action (7 pgs.); Terminal Disclaimer (2 pgs.); Request for Corrected Filing Receipt (3 pgs.); Supplemental IDS (4 pgs.); PTO Form 1449 (4 pgs.); references cited; Check in the amount of \$305.00 to cover the following filing fees: IDS (\$180); Terminal Disclaimer (\$65); and Petition for Ext. of Time (\$60); and return receipt postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Thomas C. Basso (46,541)
Cust. No. 24573

Dated: December 22, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

12-22-2005

(Date)

Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Correspondence

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald Horn
Appl. No.: 10/799,299
Conf. No.: 7833
Filed: March 12, 2004
Title: NIGHT VISION COMPOSITION
Art Unit: 3761
Examiner: M. Hand
Docket No.: 114309-1017



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, copies of the non-patent documents are enclosed in response to the Examiner's allegation that these documents were not available as previously submitted as discussed in further detail in Applicant's response to Office Action dated August 26, 2005 which is submitted concurrently herewith.

U.S. PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Inventor</u>
6,730,691	05-04-2004	Galin

OTHER DOCUMENTS

Bedford Laboratories, Phentolamine Mesylate for Injection, USP, May 1999.

Van Alphen, G., The adrenergic receptors of the intraocular muscles of the human eye, Investigative Ophthalmology, June 1976, Vol. 15, No. 6, pp. 502-505.

Yoshitomi, T., et al., Adrenergic Excitatory and Cholinergic Inhibitory Innervations in the Human Iris Dilator, Exp. Eye Res. 1998, Vol. 40, pp. 453-459.

Lee, Y.C., et al., Influence of dioptric correction and pupil size on visual function, J. Cataract Refract. Surg., 2003, Vol. 29, pp. 769-777.

Thordsen, J.E., et al., Effect of Brimonidine Tartrate Ophthalmic Solution 0.15% on Pupil Diameter in Normal Eye, April 25, 2003.

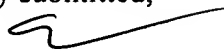
- Padma-Nathan, H., et al., Long-term safety and efficacy of oral phentolamine mesylate (Vasomar) in men with mild to moderate erectile dysfunction, *International Journal of Impotence Research*, August 2002, Vol. 14, No. 4., pp. 266-270.
- Heller, P.H., et al., Autonomic components of the human pupillary light reflex, *Investigate Ophthalmology & Visual Science*, Vo. 31, No. 1, January 1990, pp. 156-162.
- King, V.M., Effects of mydriatics and a miotic on ocular discomfort and pupil responses, *Journal of the American Optometric Association*, Vol. 47, No. 7, July 1976, pp. 937-942.
- Hill, C.E., et al., Specificity of Innervation of Iris Musculature by Sympathetic Nerve Fibres in Tissue Culture, *Pflügers Arch.*, 1976, Vol. 361, pp. 127-134.
- Lograno, M.D., et al., Receptor-responses in fresh human ciliary muscle, *Br. J. Pharmac.*, 1986, Vol. 87, pp. 379-385.
- Zetterström, C., et al., Pharmacological Characterization of Human Ciliary Muscle Adrenoceptors in Vitro, *Exp. Eye Res.*, 1988, Vol. 46, pp. 421-430.
- Takayanagi, I., et al., α -1B-Adrenoceptor Mechanisms in Rabbit Iris Dilator, *Japan. J. Pharmacol.*, 1992, Vol. 59, pp. 301-305.
- Ishikawa, H., et al., Comparison of post-junctional α -adrenoceptors in iris dilator muscle of humans, and albino and pigmented rabbits, *Naun. Schmed.*, 1996, Vol. 354, pp. 165-172.
- Yu, Y., et al., α -1A -Adrenoceptors Mediate Sympathetically Evoked Pupillary Dilation in Rats, *JPET*, February 2002, Vol. 300, Issue 2, pp. 521-525.
- Benson, G.S., et al., Is Phentolamine Stable in Solution with Papaverine, *The Journal of Urology*, November 1988, Vo. 140, pp. 970-971.
- Hadzija, B.W., et al., Physicochemical Stability of Papaverine Hydrochloride-phentolamine Mesylate Mixtures used for Intracavernous Injection: A Preliminary Evaluation, *The Journal of Urology*, January 1988, Vol. 140, pp. 64-65.
- Soli, M., et al., Vasoactive Cocktails for Erectile Dysfunction: Chemical Stability of PGE1, Papaverine and Phentolamine, *The Journal of Urology*, August 1998, Vol. 160, pp. 551-555.
- Tu, Y.H., et al., Stability of papaverine hydrochloride and phentolamine mesylate in injectable mixtures, *American Journal of Hospital Pharmacy*, Vol. 44, November 1987, pp. 2524-2527.
- Wang, D.P., et al., Degradation Kinetics of Phentolamine Hydrochloride in Solution, *Journal of Pharmaceutical Sciences*, November 1988, Vol. 77, No. 11, pp. 972-976.

- H. Uusitalo, An acute ocular inflammatory reaction induced by intravitreal bovine serum albumin in presensitized rabbits: the effect of phentolamine, *Acta. Ophthalmol. (Copenh)*, August 1994, Vol. 63, No. 4, pp. 636-642.
- H. Uusitalo, The effect of autonomic receptor blockers on the ocular response to topical chemical irritation, *Acta. Physiol. Scand.*, May 1984, Vol. 121, No. 1, pp. 1-8.
- Davies, NM: Biopharmaceutical considerations in topical ocular drug delivery, *Clin. Exp. Pharmacol. Physiol.*, 2000, Vol. 27, No. 7, pp. 558-562.
- Alster, Y., et al., Dapiprazole for patients with night haloes after excimer keratectomy, *Graefe's Arch. Clin. Exp. Ophthalmol.*, 1996, Vol. 234, pp. S139-S141.
- McDonald II, J.E., et al., Effect of brimonidine tartrate ophthalmic solution 0.2% on pupil size in normal eyes under different luminance conditions, *J. Cataract Refract. Surg.*, April 2001, Vol. 27, pp. 560-564.
- O'Brart, D.P.S., et al., Disturbances in night vision after excimer laser photorefractive keratectomy, *Eve*, 1994, Vol. 8, pp. 46-51.
- Fan-Paul, N.I., et al., Night Vision Disturbances After Corneal Refractive Surgery, *Survey of Ophthalmology*, November-December 2002, Vol. 47, No. 6, pp. 533-546.
- Connor, C.G., et al., The clinical efficacy of Rēv-Eyes™ in reversing the effects of pupillary dilation, *Journal of the American Optometric Association*, *J. Am. Optom. Assoc.*, 1993, Vol. 64, pp. 634-636.
- O'Brart, D.P.S., et al., Night vision after excimer laser photorefractive keratectomy: haze and halos, *European Journal of Ophthalmology*, 1994, Vol. 4, No. 1, pp. 43-51.
- Nielsen, C.B., et al., Effect of α - and β -receptor active drugs on corneal thickness, *Acta Ophthal.*, 1985, Vol. 63, pp. 351-354.
- Goodman & Gillman's *The Pharmacological Basis of Therapeutics*, (Ninth Edition) at pp. 225-232.
- Nicola Iuglio, MD, Ocular Effects of Topical Application of Dapiprazole in Man, *Glaucoma*, 1984, Vol. 6, pp. 110-116.
- Chou B., et al., The Role of Pupil Size in Refractive Surgery, February, 2001, www.refractivessource.com/doctors/clinical_pearls/role_pupil.htm.
- Refractive Surgery, June 22, 2000, http://www.eyecareest.com/refractive_surgery.html.

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BY



Thomas C. Basso (46,541)
Cust. No. 24573

Dated: December 22, 2005

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) PTO Form 1449	Atty Docket No. 114309-1017	Application No. 10/799,299
	Applicant Gerald Horn	
	Filing Date 03-12-2004	Group 3761

U.S. PATENT DOCUMENTS

Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	6,730,691	05-04-2004	Galin			

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Translation	
						Yes	No

Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	Bedford Laboratories, Phentolamine Mesylate for Injection, USP, May 1999.
	Van Alphen, G., The adrenergic receptors of the intraocular muscles of the human eye, Investigative Ophthalmology, June 1976, Vol. 15, No. 6, pp. 502-505.
	Yoshitomi, T., et al., Adrenergic Excitatory and Cholinergic Inhibitory Innervations in the Human Iris Dilator, Exp. Eye Res. 1998, Vol. 40, pp. 453-459.
	Lee, Y.C., et al., Influence of dioptric correction and pupil size on visual function, J. Cataract Refract. Surg., 2003, Vol. 29, pp. 769-777.
	Thordsen, J.E., et al., Effect of Brimonidine Tartrate Ophthalmic Solution 0.15% on Pupil Diameter in Normal Eye, April 25, 2003.
	Padma-Nathan, H., et al., Long-term safety and efficacy of oral phentolamine mesylate (Vasomar) in men with mild to moderate erectile dysfunction, International Journal of Impotence Research, August 2002, Vol. 14, No. 4., pp. 266-270.

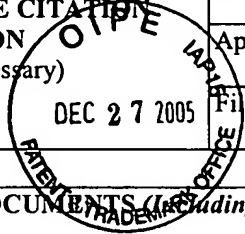
Examiner:	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) PTO Form 1449	Atty Docket No. 114309-1017	Application No. 10/799,299
	Applicant Gerald Horn	
	Filing Date 03-12-2004	Group 3761

Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	Heller, P.H., et al., Autonomic components of the human pupillary light reflex, Investigate Ophthalmology & Visual Science, Vo. 31, No. 1, January 1990, pp. 156-162.
	King, V.M., Effects of mydriatics and a miotic on ocular discomfort and pupil responses, Journal of the American Optometric Association, Vol. 47, No. 7, July 1976, pp. 937-942.
	Hill, C.E., et al., Specificity of Innervation of Iris Musculature by Sympathetic Nerve Fibres in Tissue Culture, Pflügers Arch., 1976, Vol. 361, pp. 127-134.
	Lograno, M.D., et al., Receptor-responses in fresh human ciliary muscle, Br. J. Pharmac., 1986, Vol. 87, pp. 379-385.
	Zetterström, C., et al., Pharmacological Characterization of Human Ciliary Muscle Adrenoceptors in Vitro, Exp. Eye Res., 1988, Vol. 46, pp. 421-430.
	Takayanagi, I., et al., α_{1B} -Adrenoceptor Mechanisms in Rabbit Iris Dilator, Japan. J. Pharmacol., 1992, Vol. 59, pp. 301-305.
	Ishikawa, H., et al., Comparison of post-junctional α -adrenoceptors in iris dilator muscle of humans, and albino and pigmented rabbits, Naun. Schmed., 1996, Vol. 354, pp. 165-172.
	Yu, Y., et al., α_{1A} -Adrenoceptors Mediate Sympathetically Evoked Pupillary Dilation in Rats, JPET, February 2002, Vol. 300, Issue 2, pp. 521-525.
	Benson, G.S., et al., Is Phentolamine Stable in Solution with Papaverine, The Journal of Urology, November 1988, Vo. 140, pp. 970-971.
	Hadzija, B.W., et al., Physicochemical Stability of Papaverine Hydrochloride-phentolamine Mesylate Mixtures used for Intracavernous Injection: A Preliminary Evaluation, The Journal of Urology, January 1988, Vol. 140, pp. 64-65.
	Soli, M., et al., Vasoactive Cocktails for Erectile Dysfunction: Chemical Stability of PGE1, Papaverine and Phentolamine, The Journal of Urology, August 1998, Vol. 160, pp. 551-555.

Examiner:	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) PTO Form 1449	Atty Docket No. 114309-1017	Application No. 10/799,299
	Applicant Gerald Horn	
	Filing Date 03-12-2004	Group 3761



Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	Tu, Y.H., et al., Stability of papaverine hydrochloride and phentolamine mesylate in injectable mixtures, American Journal of Hospital Pharmacy, Vol. 44, November 1987, pp. 2524-2527.
	Wang, D.P., et al., Degradation Kinetics of Phentolamine Hydrochloride in Solution, Journal of Pharmaceutical Sciences, November 1988, Vol. 77, No. 11, pp. 972-976.
	H. Uusitalo, An acute ocular inflammatory reaction induced by intravitreal bovine serum albumin in presensitized rabbits: the effect of phentolamine, Acta. Ophthalmol. (Copenh), August 1994, Vol. 63, No. 4, pp. 636-642.
	H. Uusitalo, The effect of autonomic receptor blockers on the ocular response to topical chemical irritation, Acta. Physiol. Scand., May 1984, Vol. 121, No. 1, pp. 1-8.
	Davies, NM: Biopharmaceutical considerations in topical ocular drug delivery, Clin. Exp. Pharmacol. Physiol., 2000, Vol. 27, No. 7, pp. 558-562.
	Alster, Y., et al., Dapiprazole for patients with night haloes after excimer keratectomy, Graefe's Arch. Clin. Exp. Ophthalmol., 1996, Vol. 234, pp. S139-S141.
	McDonald II, J.E., et al., Effect of brimonidine tartrate ophthalmic solution 0.2% on pupil size in normal eyes under different luminance conditions, J. Cataract Refract. Surg., April 2001, Vol. 27, pp. 560-564.
	O'Brart, D.P.S., et al., Disturbances in night vision after excimer laser photorefractive keratectomy, Eye, 1994, Vol. 8, pp. 46-51.
	Fan-Paul, N.I., et al., Night Vision Disturbances After Corneal Refractive Surgery, Survey of Ophthalmology, November-December 2002, Vol. 47, No. 6, pp. 533-546.
	Connor, C.G., et al., The clinical efficacy of Rēv-Eyes™ in reversing the effects of pupillary dilation, Journal of the American Optometric Association, J. Am. Optom. Assoc., 1993, Vol. 64, pp. 634-636.
	O'Brart, D.P.S., et al., Night vision after excimer laser photorefractive keratectomy: haze and halos, European Journal of Ophthalmology, 1994, Vol. 4, No. 1, pp. 43-51.

Examiner:	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) PTO Form 1449	Atty Docket No. 114309-1017	Application No. 10/799,299
	Applicant Gerald Horn	
	Filing Date 03-12-2004	Group 3761

Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	Nielsen, C.B., et al., Effect of α - and β -receptor active drugs on corneal thickness, Acta Ophthal., 1985, Vol. 63, pp. 351-354.
	Goodman & Gillman's The Pharmacological Basis of Therapeutics, (Ninth Edition) at pp. 225-232.
	Nicola Iuglio, MD, Ocular Effects of Topical Application of Dapiprazole in Man, Glaucoma, 1984, Vol. 6, pp. 110-116.
	Chou B., et al., The Role of Pupil Size in Refractive Surgery, February, 2001, www.refractivessource.com/doctors/clinical_pearls/role_pupil.htm .
	Refractive Surgery, June 22, 2000, http://www.eyecarest.com/refractive_surgery.html .

Examiner:	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	